

# Nevada State Board of Dental Examiners

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President



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6010 S. Rainbow Blvd., Bldg. A, Ste. 1 • Las Vegas, NV 89118 • (702) 486-7044 • (800) DDS-EXAM • Fax (702) 486-7046

## NOTICE OF WORKSHOP AND PUBLIC HEARING FOR ADOPTION OF PROPOSED PERMANENT REGULATIONS PERTAINING TO CHAPTER 631

The Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd, A-1, Las Vegas, NV 89118 (702) 486-7044 is proposing the permanent adoption of regulations pertaining to chapter 631 of Nevada Administrative Code—Fees NAC 631.029; Revise NAC 631.030; Revise NAC 631.050; Revise NAC 631.090; Revise NAC 631.100; Expire NAC 631.120; Revise NAC 631.140; Duties of the Executive Director NAC 631.023. A workshop followed by a public hearing and adoption has been set for Thursday, January 17, 2008 at 6:00pm at the Board office located at the address noted above. The meeting will be held via videoconference at the NSBME 1105 Terminal Way, Suite 300, Reno, Nevada 89502. The purpose of the meeting is to hold a second workshop regarding changes to several regulations followed by a public hearing and adoption of the following regulation:

### EXHIBIT NAC 631.029 (Amended to Add)\*

**Schedule of fees (NRS 631.190, 631.345)** The Board will charge and collect the following fees:  
*Examination fee for an initial license to practice dentistry (ADEX).....\$1,500*

### EXHIBIT NAC 631.030 (Amended to add)\*

**Provision of certain information and documentation by applicant for licensure; examination for certain licenses. (NRS 631.190, 631.220, 631.255, 631.271, 631.272, 631.274, 631.275)**

1. An applicant for licensure must provide the following information and documentation in his application:

(l) Whether he has been refused permission to take an examination for licensure by *this state*, any other state or territory of the United States or District of Columbia, *or any recognized regional testing agency*, and if so, any documents relevant to the denial;

(m) Whether he has been denied licensure by *this state*, any other state, or territory of the United States or the District of Columbia and, if so, any documents relevant to the denial;

4. *All applicants for licensure*, must at least 45 days before the meeting of the Board to consider the applicant for licensure, pass an examination on the contents and interpretation of this chapter and chapter 631 of NRS. The examination will be given on the first Monday or each month. If the first Monday of the month is a legal holiday, the examination will be given on the first Tuesday of the month.

### EXHIBIT NAC 631.050 (Amended to add)\*

**Rejection of application; reconsideration and review. (NRS 631.160, 631.190)**

2. If the Executive Director or Secretary-Treasurer finds that an applicant has:

- (h) *A malpractice claim pending disposition;*
  - (i) *Not maintained active dental or dental hygiene practice, as applicable, for 2 years or more prior to the date of application to the board*
  - (j) *Had his practice of dentistry or dental hygiene subject to mandatory supervision in this State, another state or territory of the United States or the District of Columbia; or*
  - (k) *Received a public reprimand or is currently involved in any disciplinary action concerning his license to practice dentistry or dental hygiene in this State, another state or territory of the United States or the District of Columbia,*
- the Executive Director or Secretary-Treasurer may reject the application. If rejected, the application must be returned to the applicant with the reasons for its rejection.

**EXHIBIT NAC 631.090 (Amended to add)\***

**Examination for license to practice dentistry. (NRS 631.190, 631.240)**

In fulfillment of the statutory requirements of paragraph (b) of subsection 1 of NRS 631.240, the applicant must:

1. *Pass Dental Simulated Clinical Examination (DSCE) as authorized by the Board*
2. *Demonstrate proficiency in endodontics as the Board requires*
3. *Demonstrate proficiency in fixed prosthodontics as the Board requires*
4. *Demonstrate proficiency in restorative dentistry as the Board requires*
5. *Demonstrate proficiency in periodontics as the Board requires*
6. *Perform such other procedures as the Board requires*

**EXHIBIT NAC 631.140\***

**Reexaminations; completion of failed clinical demonstration. (NRS 631.190, 631.220, 631.240, 631.280, 631.300)**

1. An applicant who does not pass *all sections* of the examination may apply for a reexamination. The application must be made on a form furnished by the Board.

(2. *If, within 1 year after filing his application for licensure, an applicant files an application for reexamination, the applicant must revise the information on the original application by furnishing the Board with a supplement when subsequent changes have taken place.*)--DELETE

3. An applicant who does not pass the examination may not take another examination without completing such additional professional training as is required by the Board.

4. An applicant who does not pass the examination solely because he fails one of the {clinical} demonstrations required pursuant to subsections 1, 2, 3, 4, 5 and 6 of NAC 631.090 may, at the next scheduled examination, complete the remaining demonstration without being required to retake any other part of the examination. If he does not successfully complete the remaining demonstration at the next scheduled examination, he must retake the entire examination.

5. For the purposes of NRS 631.280, an applicant who attempts to complete successfully a demonstration pursuant to subsection 4 shall not be deemed to have failed the examination twice if he fails to complete that demonstration successfully.

**EXHIBIT NAC 631.173 (Amended to add)\***

**Continuing education: Required hours; types of courses and activities; approval of provider or instructor. (NRS 631.190, 631.342)**

1. Each dentist licensed to practice in this State must complete *biennially or annually, as applicable to the type of license held pursuant to NRS 631.330*, at least 20 hours *annually or 40 hours biennially* of instruction in approved courses of continuing education. Hours of instruction may not be transferred or carried over from one licensing period to another.

2. Each dental hygienist licensed to practice in this State must complete *biennially or annually, as applicable to the type of license held pursuant to NRS 631.330*, at least 15 hours *annually or 30 hours biennially* of instruction in approved courses of continuing education. Hours of instruction may not be transferred or carried over from one licensing period to another.

#### **EXHIBIT NAC 631.173 (Amended to add)\***

**Continuing education: Approved subjects; minimum requirements for clinical subjects; maximum credit for certain types of courses and activities. (NRS 631.190, 631.342)**

2. At least 15 hours, or 30 hours, as applicable to the type of license held pursuant to NRS 631.330, of continuing education required for dentists by NAC 631.173 must be in clinical subjects approved pursuant to paragraph (a) of subsection 1.

3. At least 12 hours, or 24 hours, as applicable to the type of license held pursuant to NRS 631.330, of continuing education required for dental hygienists by NAC 631.173 must be in clinical subjects approved pursuant to paragraph (a) of subsection 1.

4. The Board will credit, as a maximum in any one year of the annual or biennial licensing period, the following number of hours of instruction for the following types of courses or activities:

(a) For approved study by a group, 3 hours.

(b) For attendance at a meeting or convention of a dental or dental hygiene society, 1 hour for each meeting, but not more than 3 hours, exclusive of hours of continuing education offered in conjunction with the meeting.

(c) For courses completed in the home through correspondence or videocassettes, 6 hours.

(d) For all other courses conducted by an approved instructor, the number of hours completed by the dentist or dental hygienist.

(e) For approved dental or dental hygiene services provided in approved nonprofit settings, 6 hours, except that not more than 3 hours will be allowed for any day of volunteer services provided.

#### **EXHIBIT NAC 631.177 (Amended to Add)\***

**Continuing education: Renewal or reinstatement of license; records; unprofessional conduct; audits (NRS 631.190, 631.330, 631.335, 631.342)**

3. The third or subsequent failure of a dentist and dental hygienist to obtain or file proof of completion of the annual or biennial, as applicable to the type of license held pursuant to NRS 631.330, credit hours of instruction required by this section and NAC 631.173 and 631.175 is unprofessional conduct.

#### **EXHIBIT NAC 631.190 (Amended to Add)**

**Specialties. (NRS 631.190, 631.250, 631.255)** The only specialties for which the Board will issue licenses are:

1. *Oral and Maxillofacial Pathology*

9. *Oral and Maxillofacial Radiology*

#### **EXHIBIT NAC 631.2217 (Permanent Adoption—Amended to Add)**

**Review of holder of permit; *biennial {annual}* renewal of permit. (NRS 631.190, 631.265)**

2. Each general anesthesia permit and conscious sedation permit must be renewed annually or biennially, as applicable to the type of license held pursuant to NRS 631.330.

## **EXHIBIT NAC 631.2219 (Permanent Adoption—Amended to Add)**

### **Inspection and evaluation; reevaluation. (NRS 631.190, 631.265)**

2. The Board will renew general anesthesia permits and conscious sedation permits annually *or biennially, as applicable to the type of license held pursuant to NRS 631.330*, unless the holder is informed in writing, 60 days before the date for renewal, that a reevaluation of his credentials is required. In determining whether reevaluation is necessary, the Board will consider, among other factors, complaints by patients and reports of adverse occurrences. A reevaluation will, if appropriate, include an inspection of the facility, equipment, personnel, records of patients and the procedures used by the holder, and an examination of his qualifications.

## **EXHIBIT NAC 631.2236 (Permanent Adoption—Amended to Add)**

### **Certificate of site approval: General requirements. (NRS 631.190, 631.265)**

6. Each certificate of site approval issued by the Board must be renewed annually *or biennially, as applicable to the type of license held pursuant to NRS 631.330*.

## **EXHIBIT\***

### ***NAC 631: Subpoenas. (NRS 631.190, NRS 631.360)***

1. *A party desiring to subpoena a witness must submit an application in writing to the Executive Director stating the reasons why a subpoena is requested.*
2. *The Executive Director may require that a subpoena requested by a party for the production of health records (as defined by NRS 629.021), papers, accounts or other documents, be issued only after the submission of an application in writing, which specifies as clearly as may be, the health records, papers, books, accounts or other documents desired.*
3. *The Executive Director, upon receipt of an application for a subpoena, shall:*
  - (a) *Grant the application and issue the subpoena;*
  - (b) *Deny the application; or*
  - (c) *Schedule a hearing to decide whether to grant or deny the application.*
- (d) *If an application to issue a subpoena is denied the applicant may petition the board for reconsideration.*

\*Workshop held November 1, 2007

Persons wishing to comment may appear at the scheduled hearing or may address their comments, data, views or arguments, in written form to: **Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd, A-1, Las Vegas, Nevada 89118, Attn: Kathleen Kelly, Executive Director; FAX number (702) 486-7046; e-mail address [nsbde@nsbde.nv.gov](mailto:nsbde@nsbde.nv.gov).** Written submissions must be received by the **NEVADA STATE BOARD OF DENTAL EXAMINERS** on or before January 11th, 2007 in order to make copies available to members and the public.

A copy of this notice will be on file at the State Library, 100 Stewart Street, Carson City, Nevada for inspection by members of the public during business hours. Additional copies of the notice will be available at the office of the **Nevada State Board of Dental Examiners, 6010 S. Rainbow Blvd, A-1, Las Vegas, Nevada 89118**; and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice is also available on the Board website at: [www.nvdentalboard.org](http://www.nvdentalboard.org).

**This notice has been posted at the following locations:**

Clark County District Health Department, 625 Shadow Lane, Las Vegas, Nevada.

Elko County Courthouse, Room 106, Elko, Nevada.

Washoe County Courthouse, 75 Court Street, Reno, Nevada.

Office of the N.S.B.D.E., 6010 S. Rainbow Blvd A-1, Las Vegas, Nevada.

Carson City Library, 900 N. Roop St., Carson City, Nevada.

Churchill County Library, 553 S. Main St., Fallon, Nevada.

Las Vegas Library, 833 Las Vegas Blvd, North, Las Vegas, Nevada.

Douglas County Library, 1625 Library Lane, Minden, Nevada.

Elko County Library, 720 Court St., Elko, Nevada.

Goldfield Public Library, Fourth & Crook St., Goldfield, Nevada.

Eureka Branch Library, 10190 Monroe St., Eureka, Nevada.

Humboldt County Library, 85 East 5th St., Winnemucca, Nevada.

Battle Mountain Branch Library, 625 Broad St., Battle Mountain, Nevada.

Lincoln County Library, 93 Main Street, Pioche, Nevada .

Lyon County Library, 20 Nevin Way, Yerington, Nevada .

Mineral County Library, First & A Street, Hawthorne, Nevada.

Tonopah Public Library, 171 Central St., Tonopah, Nevada.

Pershing County Library, 1125 Central Ave., Lovelock, Nevada.

Storey County Library, 95 South R. St., Virginia City, Nevada.

Washoe County Library, 301 S. Center St., Reno, Nevada.

White Pine County Library, 950 Campton St., Ely, Nevada.

Las Vegas Office of the State Attorney General, 555 E. Washington Ave, Las Vegas, Nevada

Carson City Office of the State Attorney General, 100 N. Carson St., Carson City, Nevada